

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MOUSTAPHA MAGASSOUBA  
Plaintiff,

x  
2023 CIVIL. 3686|GHW|

MOTION FOR RULE 33, 33.3  
INTERROGATORIES

-v-

THE CITY OF NEW YORK, NEW YORK  
POLICE DEPARTMENT, Detc. CARATO,  
JANET DIFIORE, ADRIENNE M. CHA  
PATRICIA LUPI, JOHN DOE ATTY,  
JOHN DOE ATTY, JOHN DOE,  
ASSISTANT DISTRICT ATTY.

Et al Defendants,

MEMO ENDORSED

To: Honorable Gregory H. Woods

I'm Moustapha Magassouba, the Plaintiff here by respectfully move this Honorable Court, pursuant to Rules 33 and 33.3, for interrogatory to uncover the names of witnesses and Defendants who have information about these Incidents and the existence of documents relating to the case.

This Action Commenced on May 2, 2023, The Defendant New York City was served on May 5, 2023, the New York Police Department, and Detective Carato, was served on May 8, 2023. This action contains 9 Defendants, 3 Defendants have been served 3 other Defendants' names are known, but their Positions and mailing address have changed, and 3 other John Doe Defendant Names have not been discovered yet.

On May 8, 2023, Plaintiff sent (the servant) to the Clerk's Office at 77 South Lexington Avenue White Plains City Court, New York 10601, with the Complaint and Summons for the Ext Clerk Patricia Puli, service, but the Clerks refused to accept the Legal Mail envelope, that the Clerk Patricia Lupi, doesn't work there anymore.

On April 14, 2023, Plaintiff Magassouba Requested the White Plains City Court to provide him with all Documents that has been entered in the criminal proceedings from December 5, 1995, to August 7, 2000, and the Plaintiff paid \$45.00 fees, the document provided by the Clerks have no name of these 3 John Doe defendants.

On May 8, 2023, Plaintiff sent the servant to the District Attorney Office 111 Dr. Martin Luther King Jr, Blvd, White Plains, New York 10601, with the Complaint and Summons for the Ext District Attorney Janet Difiore and for the Assistant District Attorney Adrienne Chapoulie, but the District Attorney Office refused to accept both Envelops. The former Assistant District Attorney ADRIENNE M. CHAPOULIE, New address is 1250 Central Park Avenue Yonkers, New York 10704, the new Summons is attached for approval. Plaintiff Magassouba is seeking the complete information and address of the following- Defendants -

- (1) The ext. DISTRICT ATTORNEY JANET DIFIORE, White Plains, NY.**
- (2) Ext, ASSISTANT DISTRICT ATTORNEY, ADRIENNE M. CHAPOULIE, White Plains, New York**
- (3) Ext Clerk of Court PATRICIA LUPI, White Plains, NY.**

Plaintiff Magassouba is also seeking the complete names and addresses of the 3 John Doe defendants as follows –

**DEFENDANT: No. 1 JOHN DOE Attorney** who represented Plaintiff Magassouba, on March 19, 1996, in the City Court of White Plains New York.

**DEFENDANT: No. 2 JOHN DOE Attorney** who represented Plaintiff Magassouba, on August 8, 2000,

**DEFENDANT: No. 3 JOHN DOE Assistant District Attorney** who prosecuted Plaintiff Magassouba on August 7, 2000.

## **CONCLUSION**

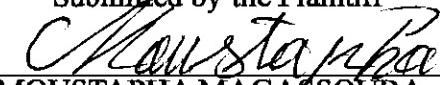
**WHEREFORE**, The Plaintiff respectfully requests the court to Grant this Motion and Order the District Attorney's Office and the White Plains City Courts to provide Complete Information of these 6 Defendants to the Plaintiff, in addition to such other and further relief as the court may

seem just and proper.

DATED: New York, New York  
May 10, 2023

Plaintiff's motion is denied as moot by  
virtue of the Valentin Order at Dkt.  
No 40. 10.10.23

Submitted by the Plaintiff

  
MOUSTAPHA MAGASSOUBA  
128 West 128 Street, Apt 4G  
NEW YORK, NEW YORK 10027  
Tel: (212) 470-2282

SO ORDERED.

